

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

BENJAMIN F. CARTER,

Plaintiff,

v.

Civil Action No. 3:22cv775

MIRANDA STITH, *et al.*,

Defendants.

MEMORANDUM OPINION

Benjamin F. Carter, a Virginia inmate proceeding *pro se* filed this civil rights action. The matter is before the Court on Carter's failure to serve the five John Doe Defendants within the time required by Federal Rule of Civil Procedure 4(m).

Pursuant to Federal Rule of Civil Procedure 4(m), Carter had ninety (90) days from the filing of the complaint to serve the defendants. Here, that period commenced on October 6, 2021. By Memorandum Order entered on November 1, 2023, the Court directed Carter, within twenty (20) days of the date of entry thereof, to show good cause for his failure to serve the five John Doe Defendants within the time required by Rule 4(m). (ECF No. 135.) Carter has not responded. Accordingly, all claims against the five John Doe Defendants will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: 12/7/2023
Richmond, Virginia



M. Hannah Lauck
United States District Judge